

1 FINJAN, INC.,

2 Plaintiff,

3 v.

4 BLUE COAT SYSTEMS, LLC,

5 Defendant.

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7 Case No. 15-cv-03295-BLF

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9 **ORDER REGARDING THE PARTIES'**
PARTIAL RENEWED RULE 50(b)
MOTIONS FOR JUDGMENT AS A
MATTER OF LAW

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11 [Re: 464, 469]

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13 Plaintiff Finjan, Inc. ("Finjan") and Defendant Blue Coat Systems, LLC ("Blue Coat")
14 each filed a partial renewed motion for judgment as a matter of law pursuant to Federal Rule of
15 Civil Procedure 50(b) regarding U.S. Patent Nos. 6,154,844 (the "'844 patent") and 8,677,494 (the
16 "'494 patent").¹ ECF 464, 469.

17 Blue Coat's Rule 50(b) motion seeks judgment as a matter of law that there is no legally
18 sufficient evidence to support (1) infringement of the '844 and '494 patents, literally or under the
19 doctrine of equivalents, (2) willful infringement of the '844 and '494 patents, and (4) worldwide
20 damages on the '844 and '494 patents. ECF 464. On the other hand, Finjan's Rule 50(b) motion
21 seeks judgment as a matter of law that Blue Coat (1) infringes the '844 and '494 patents, literally
22 or under the doctrine of equivalents, (2) willfully infringes the '844 and '494 patents, and (3) owes
23 damages for infringement of the '844 patent of at least \$29.8 million and damages for
24 infringement of the '494 patent of at least \$16.2 million. ECF 469.

25 On December 28, 2017, the Court issued a tentative ruling on the parties' Rule 50(b)
26 motions. ECF 479. On January 5, 2018, the Court heard oral argument on Blue Coat's Rule 50(b)

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28 ¹ Finjan asserts claim 15 of the '844 patent and claim 10 of the '494 patent.

1 motion as to infringement under the doctrine of equivalents, willful infringement, and worldwide
2 damages regarding the '844 and '494 patents. Upon hearing oral argument, the Court modifies the
3 tentative ruling and rules as follows:

4 (1) Blue Coat's Rule 50(b) motion as to literal and willful infringement of the '844 and
5 '494 patents is DENIED.
6 (2) Blue Coat's Rule 50(b) motion as to infringement under the doctrine of equivalents of
7 the '844 and '494 patents is GRANTED.
8 (3) Blue Coat's Rule 50(b) motion as to worldwide damages on the '844 patent is
9 GRANTED.
10 (4) Blue Coat's Rule 50(b) motion as to worldwide damages on the '494 patent is
11 DENIED.
12 (5) Finjan's Rule 50(b) motion is DENIED in its entirety.

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14 **IT IS SO ORDERED.**

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16 Dated: January 8, 2018

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19 BETH LABSON FREEMAN
20 United States District Judge
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